

SHOTS RING OUT IN RIOT OF WAITERS

Broadway Scene of Lively Rough
and Tumble Fight After Walk-
Out of 150 Men at
Churchill's.

SECOND CLASH WITH POLICE

Two Disturbances Yield Ten
Prisoners — Churchill's and
Plaza Capitulate to Their
Workers—Holland House
Tied Up at Noon.

Pistol shots, rioting, rough and tumble fighting for the police and six arrests were incidents in the latest turn in the troubles between the hotel and restaurant employees and the proprietors last night, when 150 waiters, amiable boys and cooks walked out from Churchill's, at 49th street and Broadway, in the middle of the dinner hour, completely putting the restaurant out of business for the time.

The signal for this latest demonstration of the power of the International Hotel Workers' Union was the entrance into the dining room of a dapper young man, wearing thick glasses. He was stopped at the doorway by Captain Churchill, but dismissed suspicion and was allowed to enter. As he approached a table every waiter in the place laid down his napkin and joined a number of his companions going to the dressing room. The infection spread to nearly every other waiter there, and no pretence was made by the management of trying to serve the guests at tables, and no one was even asked to pay his check.

As the men emerged from the place with shouts of triumph a great crowd was attracted to the scene, and when the police, reinforced by reserves, tried to get the jam moving some of the strikers resented their action and attacked them. Detective McDonald drew his revolver and fired two shots in the air, attracting more reinforcements to the scene. Two men were arrested, charged with inciting a riot and four other prisoners were charged with interfering with the police.

Strikers Form a Parade.

The strikers were finally formed into a ragged parade by their leaders and headed toward the union headquarters in 44th street, where they were gathered under the protection of the clubrooms there. Meanwhile a committee from the union was met by the management of Churchill's, and after two hours' consultation it was announced by both sides that an amicable arrangement had been reached. This arrangement, it was said, granted all the demands the union had made upon the Hotel Association last week under a six months' agreement.

"This means that the Hotel Association has caved in," said the union officials. "They have declared that they would ignore us, but here is Mr. Churchill, one of their members, not only treating with the union committee but entering an agreement to recognize the union."

It was said by H. Smith, the manager at Churchill's, that it was true that Captain Churchill was a member of the Hotel Association, and had recognized the union despite the determination of the association to ignore it.

Following the announcement that the demands had been granted, the strikers were ordered back to the restaurant by their leaders, and business was resumed at a late hour in time to serve the throngs of guests. They went back in a singing, laughing procession that caused crowds to gather all along their line of march, which passed most of the leading hotels and restaurants.

Captain Churchill, after conferring with the committee, found himself possessed with so great an interest in his employees' welfare that he announced he himself would have an attorney in court to defend the men who had been arrested. He expressed surprise that the strike should have hit him, as he said he had always tried to treat his men fairly and had received no complaints from them.

Another Clash with Police.

Another disturbance occurred outside the Hotel Manhattan, which resulted in the arrest of five men by members of the "strong arm" squad detailed to special duty about the hotels during the present troubles. This second riot came as a part of the triumphant parade of the marchers, whose enthusiasm was continually growing as they reached hotel after hotel. Finally, when they reached the Manhattan, the police decided that some of them were inciting a riot and started to arrest them. This brought about a conflict, during which both policemen and strikers got badly beaten. The police finally got out with their prisoners and the parade proceeded more peacefully.

Patrol wagons full of reserves were ordered out from surrounding police stations before the "cops" had made headway against the mob.

One of the prisoners, who gave his name as Charles David, of No. 328 West 48th street, was charged with inciting a riot, which is a felony. The four other men arrested at this place were charged with disorderly conduct. There was a crowd of five or six hundred strikers about them at the time.

Scare at the Algonquin.

The management of the Algonquin Hotel, in 44th street, became alarmed when a body of men was seen outside of it, and telephoned for the police, but the strikers had dispersed before the police reached the place. No trouble was experienced by the hotel with its help.

The Hotel Knickerbocker, which was the scene of a lively demonstration as the parade passed it, remained dark as far as its dining rooms were concerned. Not even the hotel's own guests were served there during the evening. James B. Regan spent most of the evening conferring with Edward Blochinger, financial secretary of the waiters' union, and

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ROCKEFELLER HAS HIS WORST GRILLING

Often on the Verge of Losing His
Temper Under Examination
by Samuel
Untermeyer.

PHRASE COINED THAT STINGS

"Cutting Loose and Still Holding
Tight" Is What Lawyer Calls
Method of Signing Proxies
for Old Standard Oil
Subsidiaries.

John D. Rockefeller, creator of the Standard Oil Company, faced what was probably the hottest examination of his long career yesterday, when he took the witness chair in the hearing before Commissioner Abraham L. Jacobs and submitted to the questioning of Samuel Untermeyer. The hearing in this city, which was held in the Untermeyer offices, No. 67 Wall street, is an outgrowth of proceedings instituted in the United States District Court in St. Louis over the election of officers of the Waters-Pierce oil company, one of the Standard's subsidiaries.

Mr. Rockefeller took the stand at about 2 o'clock. He left it two hours later, and though at the end he was smiling and apparently satisfied there were several times during the course of his examination when Mr. Untermeyer's questions brought a flush to his face, when he pounded the table in front of him to emphasize vigorous denials, and when to all appearances he was on the verge of losing his temper.

It was noticeable that it was only when Mr. Untermeyer drove him to such a length that Mr. Rockefeller lost his suavity in parrying the questions fired at him that he came close to putting on the record answers which were contradictory of others given previously.

When the grilling was over Mr. Rockefeller, with a twinkle in his eye, apologized to the lawyer for his apparent diffidence in not being able to answer his questions as Mr. Untermeyer wanted them answered, and on being told that the lawyer had a place in Graystone Hall dropped all the banter and craft with which he had been skillfully fencing with the lawyer, and said cordially:

"Why, we're neighbors, then, you must come up and play golf with me."

Untermeyer Satisfied.

Mr. Untermeyer said at the end of the session that he was satisfied with what he had got out of Mr. Rockefeller, although he admitted that the oil magnate had been a wonderfully clever witness.

The lawyer started in his attack in a mild manner, apparently lulled by Mr. Rockefeller's genial reception of his opening and formal questions. From a casual glance at the oil man's attitude when he first took the witness chair it seemed as if he was perfectly ready to talk frankly and opening about everything connected with Standard Oil.

Before the examination had been in progress more than two minutes, however, it was plain that Mr. Rockefeller had no such intention. He parried and fenced with the utmost skill, and seemed to be getting the keenest enjoyment out of the verbal encounter.

Mr. Untermeyer began by attempting to learn why Mr. Rockefeller signed the proxy for the voting of his stock in the Waters-Pierce company without any kind of an investigation as to how the proxy was going to be used.

He outlined by his questions, as they developed, that it was the contention of his clients that the manner in which those proxies were handled constituted just exactly an abuse and binding a trust as the old form of the Standard Oil Company of New Jersey.

The witness seemed to use the old and worn out "don't remember" answer. He refused time and time again to take advantage of opportunities to say "I don't know," and stuck closely to his original programme, which was simply to explain volubly in response to each question put to him, instead of answering with a flat "yes" or "no."

A Phrase That Stung.

During the entire two hours of hammering at the witness Mr. Untermeyer coined just one phrase that stung him, and that was when he referred to a scheme to "cut loose and still hold tight" the subsidiaries of the old Standard Oil Company.

Mr. Rockefeller half rose out of his chair then, and his eyes, that had been twinkling in apparent enjoyment, changed in a second to a gleam of anger. He fairly shouted out a quick and vehement denial that any such scheme had ever been considered, and in the heat of his explanation he became involved in an apparent contradiction.

"Up to the time Mr. Rockefeller had insisted that he had kept no track of the progress of the reorganization schemes of the thirty-four subsidiary companies, and Mr. Untermeyer immediately shot at him the question as to how he knew that there was no such scheme to 'cut loose and still hold tight' those subsidiaries if he had not been keeping track of the progress of the proceedings."

For the first time in the session Mr. Rockefeller was plainly stumped. He sank down in his chair in a sudden reaction from his vehemence of a moment before, and waited dumbly for words in which to answer. Finally he responded in a quiet tone:

"Why it's simply the whole spirit of the thing; there was no such idea in the whole spirit of the matter."

Untermeyer divided his attack into two main divisions, although in each he was pursuing practically the same matter. He began with questions about the Rockefeller proxies for the annual meeting of the Waters-Pierce company, after the dissolution of the big trust, but when Mr. Rockefeller's bevy of protecting counsel began to hamper him unduly, Mr. Untermeyer shifted to a broader attack on the question of Rockefeller's

Continued on second page, fourth column.

JOHN D. ROCKEFELLER AS A PERTURBED WITNESS.
Sketches made yesterday when the founder of the Standard Oil corporation was asked some searching questions about its methods.



Special Summer Resort
Number
Sunday, June 2nd
Don't Miss Next
Sunday's Tribune
It will aid you in solving the question as to where you intend spending your vacation this summer

BROKER'S SANITY IN DOUBT

Edward R. Marshall Taken to
Bellevue for Observation.

A man who said he was Edward R. Marshall, forty-two years old, a broker dealing in stocks and mining securities, and registered in the Hotel Breton Hall, Broadway and 58th street, was taken to Bellevue Hospital early this morning for observation as to his mental condition. He said he was related to the family of the Chief Justice of the United States Supreme Court, who was named John Marshall.

He was running wildly up Riverside Park at 75th street crying to be saved from his pursuers when he was arrested. He was taken to the West 65th street police station and disrobed in part while waiting the arrival of the doctor. He scolded the arrival of the doctor. He showed one of his shoes at a detective, hitting him in the face, and threw a piece of soap through the glass in front of a wall map.

T. H. Marshall, a guest in the Hotel Marlowe, was summoned at the Marlowe and taken to the police station, where he said Marshall was a cousin.

Before Marshall was put in the ambulance he called repeatedly for "Com. Daly."

"Come, you Com. Daly! Come, you stroke-out! Save me from these people!" he said.

BURSTING DAM FLOODS TOWN

Ansonia, Conn., People Flee for
Lives and All Escape.

(By Telegraph to The Tribune.)

Ansonia, Conn., May 28.—Without warning the big dam of the American Brass Company reservoir, just off Main street, gave way this afternoon, causing nearly \$200,000 damage, and strange to say, no loss of life. The reservoir is a half mile long, 200 feet wide and 50 feet deep. Tons of water rushed through the mill, endangering the lives of hundreds of workmen who sought refuge on the machinery jobs.

The surging river was five feet deep, and in the flood swept boxes, gates, and almost anything that floated less than five hundred pounds. Stores had five feet of water in them and the clerks and customers rushed to the roof.

The gates at Upper Ansonia were closed as soon as possible, but it took forty-five minutes before the reservoir was emptied of its millions of gallons of water.

SAVES \$10,000 NECKLACE

Thief Attacks Lawyer's Wife on
5th Ave. in Broad Daylight.

A \$10,000 diamond robbery in broad daylight in one of the busiest parts of Fifth avenue was averted yesterday only by the courage of Mrs. James A. Deering, of the Fitz-Carlton. She stubbornly did she cling to a package containing a valuable necklace that the thief, who at first tried to show her down and wrest the valuables from her, became frightened and ran.

Mrs. Deering, who is the wife of a Manhattan lawyer, went to a safe deposit vault yesterday morning to get a necklace she intended to wear at a dinner. She got the jewelry and was walking back to the hotel through Fifth avenue, when a man, the corner of 48th street, she felt a tug at the package. A young man dressed in a gray suit and hat had slipped up behind her and snatched at the jewels.

The package was bound to Mrs. Deering's right wrist by a steel cord, and as the young man pulled and tugged Mrs. Deering held on all the tighter. Then the crook tried to throw her to the sidewalk, but she fought him off and still protected the diamonds. The young crook saw that, although Mrs. Deering did not make any outcry, he had attracted attention by his actions, and suddenly gave up the attack. He hurried across the street, and was soon lost in the crowds on the opposite sidewalk.

Mrs. Deering walked up the avenue until she came to Patrolman O'Connor, of the Traffic Squad, to whom she told the story. He escorted her to the hotel and reported the case to Headquarters. Detectives are now looking for the thief, whom they believe they know.

LATE SPECIAL TRAIN FROM ASBURY
PARK MAY 29
Penn. R.R. Memorial Day Special train via Asbury Park 10:30 P. M. for Newark & N. Y. —Adv.

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COMMERCE COMMISSION STRIKES AT COAL TRUST

Decisions Reveal Aim to Crush
Monopoly by Rate Readjust-
ments and Reparation Awards.

LACKAWANNA ROAD ACCUSED

Marian Coal Co., Supplying New
York Consumers, Alleges Dis-
crimination and Im-
proper Routing.

(From The Tribune Bureau.)

Washington, May 28.—The Interstate Commerce Commission is thoroughly alive to the fact that the anthracite coal trust is determined to maintain a monopoly and to injure the consumers. The commission is availing itself of every opportunity to crush the monopoly through the readjustment of freight rates and the awarding of reparation to independent operators who have been victims of these ruthless methods. To the end that the consuming public may be able to secure its coal at reasonable rates.

Through a series of decisions the commission is doing effective work in individual cases. The Tribune's denunciation of this monopoly is shown not only to have been amply warranted, but to have been extremely conservative by the complaints which have been formally filed with the commission, and which reveal the tactics whereby the trust and the railroads owning mines have sought to stifle competition and to retain their power to rob the consumer.

A case in which a decision is expected soon is the complaint of the Marian Coal Company against the Delaware, Lackawanna & Western Railroad Company. Specific allegations of the railroad's efforts to stifle competition and charges of a sensational character have been filed with the commission.

Says Rates Are Unjust.

The complainant, which furnishes coal to New York consumers and is seeking a readjustment of the freight rates from the Pennsylvania coal regions to Hoboken, N. J., Tidewater, and thence to Brooklyn, makes these charges and supports them with much evidence.

That the railroad's rates are unjust, excessive and discriminatory.

That competitors affiliated with the trust file the rates charged to all concerns.

That the complainant is assessed crushing charges not made against "trust" concerns.

That "favoured" shippers are charged rates whereby they can make a profit.

That the defendant refuses to make public the rates charged to all concerns.

That the defendant routes the shipments of the complainant over wholly unnecessary long routes, thus securing unreasonable freight charges.

That the defendant "deliberately built dams" to divert a stream from the complainant's watershed.

That the defendant willfully ignored a fire in its coal mines, which destroyed 5,500 tons of the complainant's material.

That a monopoly is maintained "through the device of the Temple Iron Company, the directors of which are presidents of railroads constituting the coal trust," and so on.

The Marian Coal Company has its head offices at Wilmington, Del., and has a large coal business in New York. Its washery is located at Taylor, Lackawanna County, Penn., adjoining property owned by the Delaware, Lackawanna & Western Railroad Company. It is set forth in the complaint that the defendant owns the capital stock of the Delaware, Lackawanna & Western company, which mines and ships coal from the same region as the complainant.

"By reason of the conditions imposed upon the complainant by the defendant," says the complaint, "the complainant is subjected to unjust conditions of competition."

Extra Charges Denounced.

One of the charges particularly emphasized by the Marian company is that relating to the extra switching and transfer rates. The position is taken that

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CAPTAIN LORD LOSES SHIP

Man Who Did Not Aid Titanic
Shorn of His Command.

(By Telegraph to The Tribune.)

Boston, May 28.—Captain Stanley Lord, who went to his berth on the Leyland liner Californian while the Titanic was being distress rockets four miles away, has been relieved of his command. The Californian, which is expected to arrive here to-morrow from Liverpool, is now in charge of Captain Masters, whose father was for many years captain of the Leyland liner Columbian, of the Boston-London service.

Although the Californian sailed from Liverpool on May 18, the fact that Captain Lord had been removed became known only to-day.

"Failure of Captain Lord to arouse the wireless operator on his ship, who could have ascertained the name of the vessel in distress and reached her in time to avert loss of life, placed a tremendous responsibility upon this officer, from which it will be difficult for him to escape," said the report made to the United States Senate to-day.

John H. Thomas, Boston agent of the International Mercantile Marine Company, which controls the White Star and Leyland lines, admitted to-night that Captain Lord was out of the service, but added:

"I know nothing about it except that he is not on the Californian now. The London office has not advised me of the reasons for relieving him of the command."

[Report of the Senate Committee on Titanic disaster and Senator Smith's speech on page 4.]

\$10,000 JEWELRY ROBBERY

Thieves Enter Banker's Home
During Dinner Party.

It was learned last night at Police Headquarters that on the evening of May 23 jewelry valued at \$10,000 was stolen from the home of Ferdinand Hermann, of the banking firm of Speyer & Co., who lives at No. 20 East 80th street. The thieves entered the house by way of a rear fire escape.

Mr. and Mrs. Hermann went to Europe several weeks ago, leaving their daughter, Miss Beatrice Hermann, in the city. The night of the robbery Miss Hermann, who is now on at Tarrytown, had a number of guests at a dinner party. When the guests had departed Miss Hermann went to her room and found that it had been ransacked. Altogether about twenty pieces of jewelry were stolen.

Another recent robbery was that of the apartment of Abraham Ritter, at No. 161 West 80th street, where 225 pieces of silverware and jewelry, valued at \$5,000, were taken. Thieves "jimmied" the apartment entrance while the family was away. There have been other robberies in apartments on Washington Heights.

VOTES FOR OHIO WOMEN

Constitutional Convention Adopts
Suffrage Clause.

(By Telegraph to The Tribune.)

Columbus, Ohio, May 28.—The woman suffrage proposal was passed this afternoon by the Ohio Constitutional Convention by an overwhelming vote. This was the third and final reading, and the charter makers may now submit the proposition to the people in any manner they please.

When passed on the second reading the clause contained a provision that it should be submitted separately, but this was stricken out. The measure was passed after its friends rallied to its support. They further made solid their victory by reconsideration. There is no other alternative now left for the delegates but to stick to their attitude.

TORNADO KILLS 7, INJURES 20.

Tulsa, Okla., May 28.—Seven persons were killed, three probably were fatally hurt and twenty or more less seriously injured when a tornado swept through Skiatook, eighteen miles northwest of Tulsa, last night. The property loss is estimated at \$75,000.

SPECIAL TRAIN FROM ATLANTIC CITY MEMORIAL DAY.—Leave Atlantic City Thursday, May 30, Pennsylvania Railroad, 5:30 P. M., for New York, stopping at Trenton, Elizabeth, Newark.—Adv.

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ROOSEVELT SWEEPS JERSEY PRIMARIES

Incomplete Returns Indicate That Colonel Will
Capture Delegates-at-Large Easily and
All But Two District Delegates.

WILSON ALSO CARRIES STATE

Loses Only in Essex County, Where Smith-Nugent Machine Overwhelms the Governor's Supporters—
President Shows Greatest Strength in the
Fifth and Sixth Districts.

Theodore Roosevelt won his greatest victory in the open primary fight for delegates yesterday, when he swept New Jersey, carrying eleven of the twelve Congress districts in the State and electing the four delegates-at-large. He may carry the 6th District also.

Although Colonel Roosevelt won in the preferential vote in the 6th District, the vote was close, and the Taft men hope to pull their delegate through.

President Taft carried only four of the twenty-one counties in the State, and these by small majorities. They were Atlantic, Bergen, Somerset and Morris.

Governor Woodrow Wilson carried the state in the Democratic primaries. Essex County, the home of ex-Senator "Jim" Smith and "Jim" Nugent, whom Wilson threw out of his office, went heavily against him.

The results on the Republican side exceeded the expectations of even the more enthusiastic Roosevelt men. Colonel Roosevelt, with the Progressives and one wing of the organization Republicans behind him, swept Hudson County, embracing the 11th and 12th Congress districts.

He carried Mercer County, the home of United States Senator Briggs, by a majority sufficient to give him the 4th Congress District. He carried the 1st District, comprised of Camden, Gloucester and Salem counties, which had been deemed a sure Taft district. He swept Passaic County, the 7th Congress District, by a 2 to 1 vote, despite the great showing made in Passaic and Paterson for President Taft when he spoke there.

Incomplete figures from Essex County showed Colonel Roosevelt leading by enough margin to indicate that he would carry the 11th and 12th districts in the county and the 8th District, half of which is in Hudson and half in Essex. Essex county is the stronghold of the New Idea Republicans.

There was also a Roosevelt victory in the 2d Congress District, made up of Atlantic, Cumberland, Burlington and Cape May counties. In the 3d, made up of Middlesex, Ocean and Monmouth, incomplete figures early this morning showed Roosevelt in the lead by a good margin.

Roosevelt carried the 5th Congress District, made up of Union and Morris counties, by a small vote. The vote in Union, the bailiwick of Senator John Kean, was close.

It is estimated that Roosevelt will have a plurality in the state of from 15,000 to 20,000.

Early this morning the indications were that the Congress districts had gone as follows:

Cong. Dist.	Roosevelt	Cong. Dist.	Roosevelt
1	..... Roosevelt	7	..... Roosevelt
2	..... Roosevelt	8	..... Roosevelt
3	..... Roosevelt	9	..... Roosevelt
4	..... Roosevelt	10	..... Roosevelt
5	..... Roosevelt	11	..... Roosevelt
6	..... Taft	12	..... Roosevelt

Early indications were that Roosevelt had carried Camden County by a vote of 2 to 1.

About 45 per cent of the voters of last fall cast ballots in primaries in Cape May, early returns show. Roosevelt will have about 550 majority in Cape May County over Taft. La Follette will not have over fifty votes. The Wilson delegates have 19 to 1 over the unaffiliated or Smith Democrats. This will give Wilson about 729 majority in the county.

Roosevelt carried the 7th District, which comprises Passaic County, by a vote of 2 to 1. Colonel William L. Barbour ran as an independent candidate in this district, and hurt the Taft candidates considerably.

At an early hour this morning it looked as though Taft would carry the 6th District, composed of Bergen, Warren and Sussex counties. Eighty districts out of 108 give Taft a lead of 445.

The 4th District of the 6th Ward of Jersey City did not give Taft a single vote. There were twenty-six votes here, and they were all for Roosevelt.

The spirits of the Taft men rose to a high pitch when the returns from the 1st District of the 4th Ward of Morris town, the first to be received, were read. It showed 47 for Taft and 15 for Roosevelt.

The primary returns indicate that Colonel Roosevelt will carry Mercer County by upward of 1,000, and it is likely that Hunterdon and Somerset, the other counties of the 4th Congressional District, will follow suit and return substantial majorities for Roosevelt.

Taft carried Princeton, Long Branch and Plainfield, while Roosevelt lead in Montclair and Orange.

Roosevelt and Wilson on their respective tickets, judging by the early count, carried every voting district in Burlington County by overwhelming majorities. Indications are that Roosevelt will lead Taft in Burlington County three or four to one and that Wilson delegates will have an equal lead over their unaffiliated opponents. About 65 per cent of the registered vote was polled in the county.

Incomplete returns indicate that Roosevelt and his delegates have carried Cumberland County by at least two to one. In Millville Roosevelt has polled

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